

U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

BRUCE RUNYAN, ROBERT SAMPSON, and  
JONN CALEB GOSS on behalf of themselves  
and on behalf of all others similarly situated,  
and on behalf of the MTC Transportation  
401(k) Plan,

Plaintiffs,

v.

MARK CLEMONS d/b/a MTC  
TRANSPORTATION, a sole proprietorship, HI  
PRO INC., a California corporation, and MARK  
CLEMONS individually and/or the marital  
community composed of MARK CLEMONS and  
JANE DOE CLEMONS,

Defendants.

NO. 2:18-cv-00915 MJP

**ORDER DENYING PLAINTIFFS' MOTION  
TO FILE "CONFIDENTIAL" DOCUMENTS  
UNDER SEAL OR IN OPEN COURT**

THIS MATTER came before the Court on Plaintiffs' Motion to File "Confidential"  
Documents Under Seal or In Open Court. Prior to ruling, the Court considered the following  
documents:

1. Plaintiffs' Motion to File "Confidential" Documents Under Seal or In Open  
Court; the Declaration of Erika L. Nusser in Support of Motion to File "Confidential"  
Documents Under Seal or In Open Court; and

2. Defendants' failure to respond to Plaintiff's Motion or to make any appropriate showing to defeat the strong presumption against sealing documents that are filed in court proceedings. LCR 5(g)(2).

Based on the foregoing, IT IS HEREBY ORDERED that Plaintiffs' Motion to File "Confidential" Documents Under Seal or In Open Court is DENIED. Exhibits 2, 9, 13-14, 17-18 to the Declaration of Erika L. Nusser in Support of Motion to File "Confidential" Documents Under Seal or In Open Court (Dkt. No. 25, Exs. 1-5) shall be unsealed by the clerk.

DATED this 30th day of August 2019.

Wassily Kandinsky

Marsha J. Pechman  
United States District Judge

1 CERTIFICATE OF SERVICE

2 I, Erika L. Nusser, hereby certify that on August 30, 2019, I electronically filed the  
3 foregoing with the Clerk of the Court using the CM/ECF system which will send notification of  
4 such filing to the following:

5 Lawrence R. Cock, WSBA #20326  
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13 *Attorneys for Defendants*

14 DATED this 30th day of August, 2019.

15 TERRELL MARSHALL LAW GROUP PLLC

16 By: /s/ Erika L. Nusser, WSBA #40854  
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